

April 11, 2003

To: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

Leroy D. Baca
Sheriff

NATIONAL BIKE REGISTRY PROGRAM

On January 28, 2003, your Board requested the Chief Administrative Officer and Sheriff to review the National Bike Registry (NBR) program, describe the County's existing procedure regarding stolen and recovered bicycles, and report back to your Board in 30 days on implementing a program similar to NBR in the unincorporated areas of the County and those cities that contract with the County for law enforcement. On February 25, 2003, a status report was sent to your Board indicating that research on NBR and the experiences of other jurisdictions would require an additional 45 days. Based on research conducted by our staffs, we recognize that a service like NBR would be worthwhile to bicycle owners, would require minimal manpower demands on the Sheriff's Department, and has the potential to produce revenue for the County. Therefore, following review by County Counsel of relevant legal issues, the Sheriff's Department plans to proceed with a solicitation process to invite proposals from NBR and other prospective firms and ultimately recommend a contract for a bicycle registration service for the unincorporated areas of the County and the Sheriff's contract cities. Our findings are summarized below.

Background

California Vehicle Code Section 39000 allows local jurisdictions to adopt bicycle registration and licensing ordinances. It includes provisions for the licensing of bicycles, sets fees for licensing, requires local maintenance of records, and sets requirements for information provided at point of sale by retailers and serial numbers on bicycles. If a local jurisdiction adopts such an ordinance, bicycle registration is mandatory, and the fees collected are dedicated to bicycle safety programs and bicycle facilities. The cities of Long Beach,

Beverly Hills, and Santa Monica operate local bicycle registration programs according to Section 39000. If a stolen bicycle is recovered in one of these cities, local law enforcement checks the serial number against bicycle information in their local database. The County of Los Angeles has not adopted an ordinance requiring bicycle registration in the unincorporated areas.

Without a Section 39000 local registration program, bicycle owners must rely on the State Department of Justice's Criminal Justice Information System (System) which maintains records of lost and stolen property. When a bicycle is reported stolen in an unincorporated area or contract city, a stolen bicycle report is taken. If the bicycle's serial number is known, the information is then entered directly into the State's System. If a stolen bicycle is recovered, a search of this system is made and if a police report has been filed, the recovered bicycle is matched to its owner. Sheriff's department-wide statistics revealed that 1,371 bicycles were reported stolen in 2002. Of these, 68 bicycles were recovered. Unfortunately, data is not available for the number of recovered bicycles returned to the legal owner.

Many bicycle owners are unable to produce the serial number at the time of theft, therefore, little can be done to locate the rightful owner of a recovered bike. In an attempt to supplement the existing State System without incurring the costs associated with adopting a mandatory local registration system, some jurisdictions have begun to refer bicycle owners to NBR. The NBR, a private California company, provides bicycle owners the opportunity to register their bicycles over the internet for a nominal fee. In addition, pamphlets are provided to participating local law enforcement agencies directing bicycle owners to NBR, and NBR provides bicycle retailers with point of purchase registration packs.

NBR provides all registration materials, processes fees, sends owners labels and certificates of registration, and maintains its national database accessible by local law enforcement. Once a bicycle has been registered with NBR, the local police are able to access the bicycle's serial number quickly in the event of theft. This allows for a fast and complete police report because all of the information needed is already documented. Local law enforcement can then enter the information into the State's System so that the bicycle owner's information and status is immediately available. In the event of a recovered bicycle, local law enforcement agencies can access the NBR's nationwide database to search for the owner.

For local law enforcement, NBR offers registration pamphlets with the department name and code, monthly reports of registrations, and a unique log on password for quick database searches. In order to encourage registration, NBR offers 30 percent of each new registration fee to participating law enforcement agencies. The NBR's fee structure is as follows:

<u>NBR Registration</u>	<u>Coverage Period</u>	<u>Registration Fee</u>	<u>Returned to Local Agency</u>
10 years	10 years	\$ 10.00	\$ 3.00
30 years, including transfer to new bike	30 years	\$ 25.00	\$ 7.50
Family, up to 5 bikes at one address	10 years	\$ 25.00	\$ 7.50
Low-income special Registration	1 year	waived	n/a

Statistics produced by NBR indicate that bicycles registered with NBR are ten times less likely to be stolen, and are nine times more likely to be returned when recovered. Although NBR's statistics are favorable in percentage terms, the results in terms of actual numbers of bicycles recovered are less impressive. Their data indicate that during the fourth quarter of 2002, approximately 30 bicycles registered with NBR nationwide were reported stolen, five stolen bicycles were recovered, and three were returned to their owner.

Two local jurisdictions (Manhattan Beach and Laguna Beach) that have begun referring bicycle owners to NBR were contacted. Both cities find the NBR to be a low-cost alternative to a Section 39000 local program, and their law enforcement staff can easily refer bicycle owners to NBR using the pamphlets provided. Unfortunately, statistics on program results for the two cities are not yet available as both have only recently begun using NBR.

There have been attempts in the State Legislature to authorize and encourage the use of private internet bicycle registration services. Senate Bill 1891 of 2002 sought to: authorize an internet bicycle registration service to register bicycles and issue bicycle licenses in order to improve the rate of return of recovered bicycles to the rightful owner; limit the fees charged by an internet bicycle registration service to amounts specified in existing Section 39000 law, and authorize assessment of fees for multi-year license renewals; and limit the use of certain personal identification information in the database maintained by the service to specified purposes.

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SB 1891 was vetoed by Governor Davis on September 30, 2002. The Governor's veto message noted doubts that internet bicycle registration services would significantly improve the return rate of stolen bicycles, and concerns regarding the potential risk to public privacy in authorizing private companies to maintain databases of personal information. In response to concerns regarding security and privacy, NBR claims to offer state-of-the-art security to ensure that data is never compromised including: physical security, intrusion monitoring, data transmission encryption, password protection, employee access controls, partnerships with leading internet security companies, and complete back-up protection.

Conclusion

Given the positive response we received from other jurisdictions, and the fact that a bicycle registration service would be a benefit to bicycle owners with little workload impact on the Sheriff's Department, and the potential for revenue generation, we recommend the County proceed with the selection of a bicycle registration service. However, we will first seek County Counsel review of two key issues prior to proceeding: 1) ensuring program security and privacy, and 2) mitigating or eliminating any County liability exposure. Upon clearance by County Counsel, the Sheriff's Department will proceed with a competitive solicitation, and if successful, recommend a contract for Board approval implementing a program.

If you have any questions, please let us know, or your staff may contact Robert Moran of the Chief Administrative Office at (213) 974-1130 or Chief Paul Tanaka of the Sheriff's Department at (323) 526-5488.

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c: Executive Officer, Board of Supervisors
 County Counsel